

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

2007 AUG -7 P 1:34

JOHN G. PEDICINI,

Plaintiff,

-vs-

UNITED STATES OF AMERICA  
ET AL.,

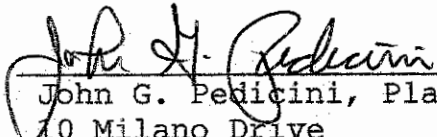
Defendants.

CIVIL ACTION NO. 04-12395-JLT

PLAINTIFF'S MOTION TO DISMISS COUNT I WITHOUT PREJUDICE FOR  
PURPOSE OF FILING IN U.S. COURT OF FEDERAL CLAIMS OR, IN  
THE ALTERNATIVE, TO DISMISS COUNT I WITH PREJUDICE, BUT  
WITHOUT COSTS

Plaintiff, John G. Pedicini, respectfully moves the Court to dismiss Count I, without prejudice for the purpose of consolidating claims in U.S. Court of Federal Claims or, in the alternative, to dismiss Count I with prejudice, but without costs. In support of this motion, Plaintiff has filed a memorandum in support of this motion under separate cover.

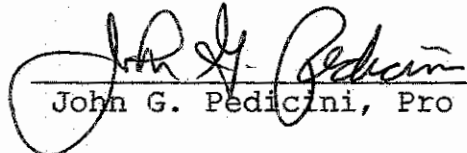
Respectfully submitted,

  
John G. Pedicini, Plaintiff Pro Se  
10 Milano Drive  
Saugus, MA 01906  
781-248-1385

8/7/07  
Date

**CERTIFICATION UNDER L.R. 7.1**

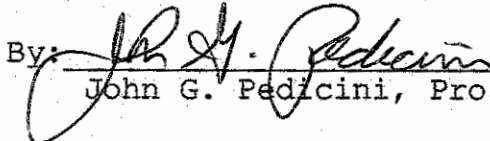
I certify that in accordance with Local Rule 7.1, I have conferred with Defendants' counsel and have attempted in good faith to resolve the issues addressed in this Motion on August 7, 2007 and that we were unable to resolve the issues set forth in this motion.

  
John G. Pedicini, Pro Se

8/7/07  
Date

**CERTIFICATION OF SERVICE**

Pursuant to L.R. 5.2(b), I hereby certify that a true copy of the above document and memorandum were served on the Defendants on August 7, 2007, via U.S. Government email system: Anita Johnson and Gina Walcott-Torres, Assistant U.S. Attorney, Moakley Courthouse, 1 Courthouse Way, Suite 9200, Boston, MA 02210.

By:   
John G. Pedicini, Pro Se

8/7/07  
Date